

FEB 17 2009

PAGE 12 • RCV'D AT 2/14/2009 1:16:55 PM [Eastern Standard Time] • SVR:USPTO-EFXR-F-6.0 • DMS:2738300 • CSD:8476581088 • DURATION (MM:SS):01:08

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)Docket No.
Y3.0074

In Re Application Of: Finn Aagaard

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/720,919	11/24/2003	Francis T. Palo		3644	5228

Invention: APPARATUS AND METHOD FOR IRRIGATING CONTAINER-GROWN PLANTS

COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated 11/17/2008 finally rejecting Claim(s) 1,4-12,14-17 and 21-26

Applicant is a small entity under 37 CFR 1.9 and 1.27.

Applicant claims small entity status. See 37 CFR 1.27

The fee for this Notice of Appeal is: \$270.00

A check in the amount of the fee is enclosed.

The Director has already been authorized to charge fees in this application to a Deposit Account.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 161375

Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Signature

Dated: February 14, 2009

Mathew R.P. Perrone, Jr.
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cc:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 [37 CFR 1.8(a)] on

February 14, 2009

(Date)

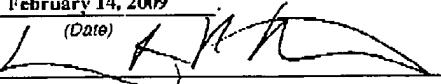
Signature of Person Mailing Correspondence

Mathew R. P. Perrone, Jr.

Typed or Printed Name of Person Mailing Correspondence

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Mathew R.P. Perrone, Jr. Brie A. Crawford Attorneys of Record 210 South Main Street Algonquin, Illinois 60102 847-658-5140						
<div style="border: 1px solid black; padding: 5px;"> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on February 14, 2009</p> <p style="text-align: center;">(Date)</p> <p style="text-align: center;"> <i>Signature of Person Mailing Correspondence</i></p> <p style="text-align: center;">Mathew R. P. Perrone, Jr.</p> <p style="text-align: center;"><i>Typed or Printed Name of Person Mailing Correspondence</i></p> </div>						
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